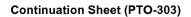
Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/606,948	ZETTINGER ET AL.	
Examiner	Art Unit	

	IAN N. WOORE	2403	
The MAILING DATE of this communication appe	ars on the cover sheet with the o	correspondence add	ress
THE REPLY FILED <u>02 October 2009</u> FAILS TO PLACE THIS A	PPLICATION IN CONDITION FO	R ALLOWANCE.	
1. The reply was filed after a final rejection, but prior to or on application, applicant must timely file one of the following application in condition for allowance; (2) a Notice of Appelor Continued Examination (RCE) in compliance with 37 C periods:	replies: (1) an amendment, affidavi eal (with appeal fee) in compliance	t, or other evidence, w with 37 CFR 41.31; or	hich places the (3) a Request
a) The period for reply expiresmonths from the mailing	date of the final rejection.		
b) The period for reply expires on: (1) the mailing date of this Anno event, however, will the statutory period for reply expire Is Examiner Note: If box 1 is checked, check either box (a) or (MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f	ater than SIX MONTHS from the mailing b). ONLY CHECK BOX (b) WHEN THE).	g date of the final rejection FIRST REPLY WAS FI	on. LED WITHIN TWO
Extensions of time may be obtained under 37 CFR 1.136(a). The date of have been filed is the date for purposes of determining the period of extunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL	ension and the corresponding amount hortened statutory period for reply origi	of the fee. The appropria mally set in the final Office	ate extension fee e action; or (2) as
2. The Notice of Appeal was filed on A brief in comp	liance with 37 CFR 41.37 must be	filed within two month	s of the date of
filing the Notice of Appeal (37 CFR 41.37(a)), or any exter Notice of Appeal has been filed, any reply must be filed wi AMENDMENTS	nsion thereof (37 CFR 41.37(e)), to	avoid dismissal of the	
3. The proposed amendment(s) filed after a final rejection, b	out prior to the date of filing a brief,	will not be entered be	cause
(a) They raise new issues that would require further cor	•	ΓE below);	
(b) They raise the issue of new matter (see NOTE below	•		
(c) They are not deemed to place the application in beti	er form for appeal by materially red	ducing or simplifying t	ne issues for
appeal; and/or (d) ☐ They present additional claims without canceling a c	corresponding number of finally reig	acted claims	
NOTE: (See 37 CFR 1.116 and 41.33(a)).	orresponding number of finally reje	ecteu ciaims.	
4. The amendments are not in compliance with 37 CFR 1.12	21 See attached Notice of Non Co	mpliant Amendment (DTOL 324)
 5. Applicant's reply has overcome the following rejection(s): 		mphant Amendment (F 10L-324).
6. Newly proposed or amended claim(s) would be all		timaly filed amondmor	at cancoling the
non-allowable claim(s).	owable ii subifilited iii a separate,	uniely nied amendmei	it cancelling the
7. For purposes of appeal, the proposed amendment(s): a) [how the new or amended claims would be rejected is prov The status of the claim(s) is (or will be) as follows:		ll be entered and an e	xplanation of
Claim(s) allowed:			
Claim(s) objected to: Claim(s) rejected:			
Claim(s) withdrawn from consideration:			
AFFIDAVIT OR OTHER EVIDENCE			
 The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e). 			
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessary	vercome <u>all</u> rejections under appea	al and/or appellant fail	s to provide a
10. The affidavit or other evidence is entered. An explanation	n of the status of the claims after e	ntry is below or attach	ed.
REQUEST FOR RECONSIDERATION/OTHER			
 11. The request for reconsideration has been considered but see attached. 12. Note the etteched information Displayers Statement(s). 		n condition for allowan	ce because:
12. ☐ Note the attached Information <i>Disclosure Statement</i>(s). (13. ☐ Other:	F 10/30/00/ Fapel 110(5).		
	/lan N. Moore/		
	Primary Examiner, Art U	Init 2463	
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Application No.